

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 16, 2010

DIVISION THREE

B218618 Valle, et al. (Not for Publication)

V.
Cherryfield Village, etc., et al.

The judgment is affirmed. Cherryfield is entitled to recover costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B224677 S.P. (Not for Publication)

v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services)

The petition for extraordinary writ is denied, thus the request for a stay is moot. This opinion is final forthwith as to this court.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

September 16, 2010 (Continued)

DIVISION THREE (continued)

B220426 Kaplan (Not for Publication)
v.
Reiner

The order is affirmed. Plaintiff to recover costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B221597 Los Angeles County, D.C.F.S. (Not for Publication)
v.
J.E.

The orders are affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy Clerk.

Each of the following:

B215984 People v. Nelson
B222091 DCFS v. Jason F.

Argument waived, cause submitted.

DIVISION FOUR (continued)

B220960 Blackshear
 v.
 Brewster

Merits:

Argued by Douglas J. Pettibone for appellant and by Linda Rose Fessler for respondent. Cause submitted.

B215138 People
 v.
 Canul

Merits:

Argued by Lenore de Vita for appellant and by David A. Voet, Deputy Attorney General for respondent. Cause submitted.

B214216 Hellinger, et al.
 v.
 Osborne

Merits:

Argued by William J. Osborne for appellant and by William J. Houser for respondents. Cause submitted.

B223557 In re Greer on Habeas Corpus

Merits:

Argued by Jennifer Heinisch, Deputy Attorney General for appellant and by Brandie Devall for respondent. Cause submitted.

B219491 Arrowood Indemnity Company
 v.
 Travelers Indemnity Company of Connecticut

Merits:

Argued by David A. Tartaglio for appellant and by Michelle Bernard for respondent. Cause submitted.

DIVISION FOUR (continued)

B224246 Sylvia R., et al.
 v.
 Superior Court, Los Angeles County
 (Department of Children and Family Services)

Merits:

Argued by Victoria Doherty for petitioner Sylvia R., by Domingo F. petitioner in propria persona and by Tracey Dodds, Deputy County Counsel for real party in interest. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy Clerk.

Each of the following:

B215387 People v. Favor
B219283 People v. Yarberry
B210423 People v. Luton
B214459 People v. Sisneros
B221996 DCFS v. Tina Z.

Argument waived, cause submitted.

B218656 Williams
 v.
 Zugman, et al.

Merits:

Argued by Mark Schaeffer for respondents. Appellant waived oral argument. Cause submitted.

DIVISION FOUR (continued)

B220439 Reilly, et al.
 v.
 Cowitt, et al.

Merits:

Argued by Frances L. Diaz for appellants and by Michael W. Brown for respondents. Cause submitted.

B209418 Kalesniko
 v.
 Ruff

Merits:

Argued by Marilyn M. Smith for appellant and by Mark E. Mahler for respondent. Cause submitted.

B218597 AP Companies, et al.
 v.
 Kriti Properties, et al.

Merits:

Argued by Patricio Barrera for appellants and by Kelly A. Woodruff for respondents. Cause submitted.

Court adjourned.

DIVISION FIVE

B217188 Lawrence Pasternack (Not for Publication)
v.
Vision West Investments, LLC.

The order denying the special motion to strike is affirmed. Plaintiff, Lawrence Pasternack, shall recover his costs incurred on appeal from defendant, Vision West Investments, LLC.

Turner, P.J.

We concur: Kriegler, J.
Ferns, J. (Assigned)

B225210 C.A. (Not for Publication)
v.
Los Angeles County, D.C.F.S.

The Welfare and Institutions Code section 366.26 order is reversed and the cause is remanded for compliance with the federal Indian Child Welfare Act requirements and related state provisions. This opinion is final forthwith. The remittitur is to issue forthwith.

Turner, P.J.

We concur: Kriegler, J.
Kumar, J. (Assigned)

B210624 David Cutler
v.
Anthony Dike, et al.

Filed order denying petition for rehearing.

September 16, 2010 (Continued)

DIVISION SEVEN

B220193 People
v.
Bowen

(Not for Publication)

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.
Jackson, J.

B219963 Sanai (Not for Publication)
v.
Saltz, et al.

The order denying the section 425.16 special motion to strike is affirmed. Mr. Sanai is to recover his costs on appeal.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B213027 People (Not for Publication)
v.
Lloyd

The order for restitution is vacated and the matter remanded for a new hearing on the amount of losses suffered by the victim's wife and son. In all other respects the judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.
Jackson, J.

DIVISION SEVEN (continued)

B215543 People (Not for Publication)
v.
Cabrera, et al.

The judgment against Cabrera is affirmed. The judgment against Romero-Luna is modified to give him credit for one additional day of actual custody, for a total of 868 days of actual custody, and a total presentence custody credit of 998 days. As so modified, the judgment is affirmed. The clerk of the court is directed to prepare a corrected abstract of judgment and to forward a copy thereof to the Department of Corrections and Rehabilitation.

Jackson, J.

We concur: Perluss, P.J.
Woods, J.

[illegible]

The trial court's judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Jackson, J.

B217965 Adolph Banuelos et al. (Not for Publication)
v.
North Los Angeles County Regional Center

The judgments in case numbers B217965 and B210212 are affirmed. The Department and Regional Center are to recover their costs on appeal.

Perluss, P.J.

We concur: Zelon, J.
 Jackson, J.

DIVISION SEVEN (continued)

B210212 Adolph Banuelos, et al. (Not for Publication)
 v.
 North Los Angeles County Regional Center, et al.

The judgments in case numbers B217965 and B210212 are affirmed. The Department and Regional Center are to recover their costs on appeal.

Perluss, P.J.

We concur: Zelon, J.
 Jackson, J.

B217069 Jorge Barajas et al. (Not for Publication)
 v.
 John S. Brandon

The order denying attorney fees to appellant/owner is reversed. The matter is remanded to the trial court to enter a new judgment that includes an award of attorney fees. Appellant to recover costs of appeal.

Woods, J.

We concur: Perluss, P.J.
 Jackson, J.

DIVISION SEVEN (continued)

B217181 Grubb & Ellis (Not for Publication)
 v.
 Porter Ranch Shopping Center, LLC

The judgment is reversed. The matter is remanded to the trial court with directions to vacate its orders granting Grubb & Ellis's motion for summary judgment on its complaint and sustaining without leave to amend its demurrer to Porter Ranch's second amended cross-complaint, enter new orders denying Grubb & Ellis's motion for summary judgment and overruling Grubb & Ellis's demurrer to Porter Ranch's second amended cross-complaint and to conduct further proceedings not inconsistent with this opinion. Porter Ranch is entitled to its costs of appeal.

Woods, J.

We concur: Perluss, P.J.
 Zelon, J.

B219963 Sanai
 v.
 Saltz et al.,

Filed order modifying opinion. (No change in the judgment)

DIVISION EIGHT

B225827 People (Not for Publication)
 v.
 Richard Tell

The petition for writ of mandate is granted. The respondent court is directed to vacate its May 17, 2010 order granting the section 995 motion to set aside count four of the information, and to thereafter issue a new and different order denying the motion.

Grimes, J.

We concur: Flier, Acting P.J.
 O'Connell, J. (Assigned)

DIVISION EIGHT (continued)

B195651 People
 v.
 Taylor

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)